



# PUBLIC NOTICE

**Federal Communications Commission**  
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**DA 00-1714**  
**August 1, 2000**

**MaineCom Services, New England Investment Corporation, New England Business Trust, and New England Security Corporation Seek Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act**

**MaineCom Services –NSD File No: ETC 00-28**  
**New England Investment Corporation –NSD File No: ETC 00-29**  
**New England Business Trust –NSD File No: ETC 00-30**  
**New England Security Corporation – NSD File No: ETC 00-31**

**Pleading Cycle Established**

**Comments Due: August 22, 2000      Reply Comments Due: August 29, 2000**

On July 21, 2000, MaineCom Services, New England Investment Corporation, New England Business Trust, and New England Security Corporation ("Applicants"), pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 ("PUHCA"), as added by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed a joint application requesting a Commission determination that each is an exempt telecommunications company ("ETC").

The application states that all applicants will be engaged (as defined in PUHCA section 2(a)(11)(B)) directly, or indirectly through one or more affiliates, and exclusively, in the business of providing (a) telecommunications services, (b) information services, (c) other services or products subject to the jurisdiction of the Federal Communications Commission, or (d) products or services that are related or incidental to the provision of a product or service described in paragraphs (a) through (c) above.

The application states that MaineCom Services ("MaineCom") is a Maine corporation and a subsidiary of CMP Group, also a Maine corporation, and is also an affiliate of Central Maine Power Company, an exempt public utility holding company under section 3 of PUHCA. It further states that MaineCom provides a variety of telecommunications services to retail, wholesale, and carrier customers. These services include point-to-point fiber optic or other facilities-based connections, private networking, telecommunications consulting, and intrastate private voice and data transport for other telecommunications carriers. The application states that in the future, MaineCom may also provide telecommunications services, information services, or

other “related and incidental” products and services as permitted by section 103 of the 1996 Act, when such opportunities arise and in a manner consistent with PUHCA, as amended, and other applicable laws and regulations.

The application states that New England Investment Corporation (“NEIC”) is a Delaware corporation and a wholly owned subsidiary of MaineCom. As a consequence, NEIC, like MaineCom, is an affiliate of Central Maine Power Company, an exempt public utility holding company under section 3 of PUHCA, as amended. It further states that NEIC invests, either directly or indirectly, in companies that provide telecommunications services to retail, wholesale, and carrier customers. It states that these services include fiber optic or other facilities-based connections and intrastate private voice and data transport for other telecommunications carriers. The application states that in the future, NEIC may also invest, either directly or indirectly, in companies providing other types of telecommunications services, information services, or other “related and incidental” products and services as permitted by section 103 of the 1996 Act, when such opportunities arise and in a manner consistent with PUHCA, as amended, and other applicable laws and regulations.

The application states that New England Business Trust (“NEBT”) is a Massachusetts business trust and a wholly-owned subsidiary of NEIC (which in turn, is a subsidiary of MaineCom). NEBT, like MaineCom and NEIC, is an affiliate of Central Maine Power Company, an exempt public utility holding company under section 3 of PUHCA. It further states that NEBT invests, either directly or indirectly, in companies that provide telecommunications services to retail, wholesale, and carrier customers. These services include fiber optic or other facilities-based connections and intrastate private voice and data transport for other telecommunications carriers. The application states that in the future, NEBT may also invest, either directly or indirectly, in companies providing other types of telecommunications services, information services, or other “related and incidental” products and services as permitted by section 103 of the 1996 Act, when such opportunities arise and in a manner consistent with PUHCA, as amended, and other applicable laws and regulations.

The application states that New England Security Corporation (“NESC”) is a Massachusetts corporation and a wholly-owned subsidiary of NEBT (which, in turn, is a subsidiary of NEIC, which is a subsidiary of MaineCom). NESC, like MaineCom, NEIC, and NEBT, is an affiliate of Central Maine Power Company, an exempt public utility holding company under section 3 of PUHCA. It further states that NESC invests, either directly or indirectly, in companies that provide telecommunications services to retail, wholesale, and carrier customers. These services include fiber optic or other facilities-based connections and intrastate private voice and data transport for other telecommunications carriers. The application states that, in the future, NESC may also invest, either directly or indirectly, in companies providing other types of telecommunications services, information services, or other “related and incidental” products and services as permitted by section 103 of the 1996 Act, when such opportunities arise and in a manner consistent with PUHCA, as amended, and other applicable laws and regulations.

In accordance with 47 C.F.R. section 1.5004, if the Commission does not issue an order denying an ETC application within 60 days of receipt of the application, in this case, July 21, 2000, the application will be deemed granted as a matter of law. In accordance with 47 C.F.R. section 1.5003, a person applying in good faith for a Commission determination of ETC status is deemed to be an ETC from the date of receipt of the application, in this case, July 21, 2000, until the date of Commission action pursuant to 47 C.F.R. section 1.5004. In accord with 47 C.F.R.

section 1.5005, the Secretary of the Commission is now notifying the Securities and Exchange Commission (SEC) that each Applicant is deemed to be exempt telecommunications company. In the event that the Commission issues an order within 60 days of receipt of the application denying the application, the Secretary will so notify the SEC. Otherwise, the Commission will take no further action to grant this application.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. sections 1.1200 - 1.1206. Persons wishing to file comments, regarding the adequacy or accuracy of the Applicants' application requesting status as an ETC, must do so no later than **August 22, 2000**. All comments should also be served on the Applicants. Reply comments must be filed no later than **August 29, 2000**.

Interested parties should file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, 445 Twelfth St., SW, Room TW-A325, Washington, D.C. 20554. In addition, parties should send one copy to ITS, at 1231 20th Street, NW, Washington, D.C. 20036 and two copies to Al McCloud, Common Carrier Bureau, Network Services Division, FCC, 445 12th Street, SW, Room 6-A320, Washington, D.C. 20554. All filings concerning any of the matters referenced in this Public Notice should refer to the NSD file number assigned: **MaineCom Services, ETC 00-28; New England Investment Corporation, ETC 00-29; New England Business Trust, ETC 00-30; and New England Security Corporation, NSD-L-00-31.**

The full text of this document is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS), 1231 20<sup>TH</sup> Street, NW, Washington, DC 20036, telephone 202-857-3800, facsimile 202-857-3805, TTY 202-293-8810.

For further information, contact Al McCloud, (202) 418-2499 (voice), [amccloud@fcc.gov](mailto:amccloud@fcc.gov) or Marty Schwimmer, (202) 418-2320 (voice), [mschwimm@fcc.gov](mailto:mschwimm@fcc.gov), of the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484. You may also find more information about Exempt Telecommunications Companies at our website: <http://www.fcc.gov/ccb/nsd/documents/ETC.html>.

**-FEDERAL COMMUNICATIONS COMMISSION-**